

R E M A R K S

Applicants respectfully traverse the finality of the rejection. It is true that this is the third Office action, but that is not due to any failing on the part of the applicants and, more importantly, the Examiner does not assert that this is the reason for the finality of the rejection. The Examiner does assert that the amendment to the claims necessitated the new grounds for rejection, and presumably that is the reason for the finality of the rejection. However, applicants respectfully disagree. The amendment to the claims in the immediately previous response related to the support subassembly's positioning of the trough relative to the apparatus. Now, however, the Examiner does not even consider the apparatus. In a reasoning of *first impression*, the Examiner now asserts that claims 1-19 will be treated as claiming an assembly *per se*. Clearly this reasoning – if appropriate – should have been posited in an earlier Office action. Moreover, this reasoning actually excludes from consideration the distance to the apparatus and, therefore, the amendment of the previous response clearly could not have caused the Examiner's current assertion.

For this reason, it is respectfully submitted that the finality of the rejection should be withdrawn.

Claims 3, 10-11, and 17 were objected to, but were deemed to be allowable if rewritten in independent form and made to include all of the limitations of the base claim as well as the intervening claims. Claims 3, 10, and 17 are so amended and, hence, applicants believe that claims 3, 10, 11, and 17 are patentable. Additionally, claim 18 is amended to depend on amended claim 17 and, therefore, it, too, is believed patentable.

Claims 1, 2, 4, 12-16, and 18-19 were rejected under 35 USC 102 as being anticipated by Tardoskegyi, US Patent 3,960,350. This rejection is based, in part, on the Examiner's assertion that the claims do not recite any apparatus as a limitation of the claim and, consequently, the Examiner puts no weight to the term "apparatus." Applicants believe that, indeed, this assertion is necessary for the Examiner to reject the claim in view of the Tardskegyi reference because that which serves as "the apparatus" in the Tardskegyi reference is a ceiling, which is not an "apparatus."

Claim 1 is amended to limit the subassembly to one that enables a cable to be inserted in the trough opening without handling any of its ends even while the trough element is connected to the trough element. The Tardskegyi arrangement does not have a

support subassembly that is so adapted and, therefore, amended claim 1 is not anticipated by the Tardskegyi reference.

Claim 4 explicitly adds an apparatus to the claimed assembly, and specifies the nature of that apparatus, which is quite different from the ceiling that is shown in the Tardskegyi reference. Therefore, claim 4 further distinguishes from the reference.

Claim 15 also explicitly recites apparatus within the claimed assembly, defines the apparatus to be one that includes electronic circuitry, and defines a particular face of the apparatus to which the support subassembly is attached. The support subassembly of the Tardskegyi reference adapted to be connected to the apparatus as specified in the claim and, therefore, amended claim 15 is not anticipated by Tardskegyi. By extension, claims 16 and 19, which depend on claim 15, are also not anticipated by the Tardskegyi reference.

Claims 1, 4-9, 12-16 and 18-19 were also rejected under 35 USC 102 as being anticipated by Kopish, US Patent 5,934,623.

Applicants respectfully submit that amended claim 1 is also not anticipated by the Kopish reference for the reasons expressed above. That is, the support subassembly of Kopish is not adapted to “permit, while connected to said trough element, the placement of a cable into said trough opening without handling an end of said cable while said assembly is attached to said apparatus by said support subassembly.”

Claims 4-9 and 12 depend on claim 1 and, therefore, are believed to not be anticipated by the Kopish reference as well. It is noted that claim 9 is amended to specify that the trough element is not “springy” as the trough element of Kopish apparently is (evidenced from FIG. 4, and the reference by the Examiner of edge 66 of the trough as a flexible detent element.

Claim 18 is amended to depend on claim 17 rather than claim 15 and, as amended, it is believed that claim 18 is not anticipated by the Kopish reference.

The rejection of claim 19 in view of the Kopish reference is respectfully traversed because it depends on claim 15, which was NOT rejected in view of the Kopish reference.

In view of the above amendments and remarks, it is respectfully submitted that all of the Examiner’s objections and rejections have been overcome. It is noted that even if

the Examiner does not accede to applicants request to withdraw the finality of the rejection, it is respectfully submitted that the instant amendment places all claims in condition for allowance and, therefore, reconsideration and allowance are respectfully solicited.

Dated: 11/6/03

Respectfully,
Joseph D La Scola
Michael Reilly

By 
Henry T. Brendzel
Reg. No 26,844
Phone (973) 467-2025
Fax (973) 467-6589
email brendzel@comcast.net